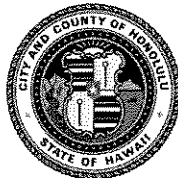


FIRE DEPARTMENT  
**CITY AND COUNTY OF HONOLULU**

3375 Koapaka Street, Suite H-425  
Honolulu, Hawaii 96819-1869  
Phone: (808) 831-7761 Fax: (808) 831-7750 Internet: www.honolulufire.org

MUFI HANNEMANN  
MAYOR



ATTILIO K. LEONARDI  
FIRE CHIEF

JOHN CLARK  
DEPUTY FIRE CHIEF

January 10, 2005

The Honorable Ann Kobayashi, Chair  
Budget Committee  
City Council  
City and County of Honolulu  
530 South King Street  
Honolulu, Hawaii 96813

RECEIVED

JAN 11 12 08 PM '05  
CITY CLERK  
HONOLULU, HAWAII

Dear Chair Kobayashi:

Subject: Resolution 05-07 - Authorizing the City and County of Honolulu to  
Enter Into an Intergovernmental Agreement with the United States  
Navy to Effectuate the Conveyance of Land at 890 Valkenburgh Street

Subsequent to the submission of the subject resolution, the United States Department of the Navy has requested minor changes to the Intergovernmental Agreement Between the United States Navy and the City and County of Honolulu for the Conveyance of the Honolulu Fire Department Fire Training Facility at 890 Valkenburgh Street. The revised agreement is attached for your committee's consideration.

Should you have any questions, please call me at 831-7771.

Sincerely,

A handwritten signature in cursive script, reading "Attilio K. Leonardi".

ATTILIO K. LEONARDI  
Fire Chief


AKL:cn

Attachment


The Honorable Ann Kobayashi, Chair  
Page 2  
January 10, 2005

Subject: Resolution 05-07 – Authorizing the City and County of Honolulu to Enter into an Intergovernmental Agreement with the United States Navy to Effectuate the Conveyance of Land at 890 Valkenburgh Street.

APPROVED AS TO FORM AND LEGALITY:

  
CARRIE K.S. OKINAGA, ACTING CORPORATION COUNSEL  
Department of Corporation Counsel

APPROVED TO FORWARD:

  
PATRICK T. KUBOTA, DEPUTY DIRECTOR  
Department of Budget and Fiscal Services

APPROVED:

  
TRUDI S. SAITO, DEPUTY MANAGING DIRECTOR  
Office of the Managing Director

INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE UNITED STATES NAVY AND THE CITY AND COUNTY OF  
HONOLULU FOR THE CONVEYANCE OF THE HONOLULU FIRE DEPARTMENT  
FIRE TRAINING FACILITY AT 890 VALKENBURGH STREET

THIS AGREEMENT is made this \_\_\_\_\_ day of \_\_\_\_\_, 2005, by and between the CITY AND COUNTY OF HONOLULU (hereafter the "CITY"), and the UNITED STATES NAVY (hereafter the "NAVY").

RECITALS

WHEREAS, the CITY desires to acquire title to the property located at 890 Valkenburgh Street, Honolulu, Hawaii (hereafter the "Property") from the NAVY; and

WHEREAS, the NAVY desires to cooperate with the CITY by taking actions necessary in preparation for potential [and is willing to] conveyance of [its interest in] the Property to the CITY upon the terms and conditions set forth herein pursuant to the National Defense Authorization Act for 2005, Public Law 108-375 (P.L. 108-375) Sec. 2862; and

WHEREAS, the CITY is in the process of securing all of the necessary approvals to consummate the acquisition of the Property; [and]

[WHEREAS, the CITY desires continued use of the Property as a fire training facility and fire station; and]

[WHEREAS, the NAVY is willing to permit continued entry and use of the Property by the CITY;]

NOW, THEREFORE, in consideration of the mutual covenants and promises herein made, the NAVY and the CITY hereby agree as follows:

1. [Conveyance of the Property]. Upon satisfaction of the following conditions, the NAVY will convey the Property to the CITY by way of a quitclaim deed:
  - [a.] The CITY shall obtain all of the necessary approvals, including the approval of the Mayor and the City Council of the CITY, to accept conveyance of the Property, together with such [the] covenants and obligations as may be mutually agreed upon by the parties and contained in the quitclaim deed. The CITY hereby warrants and represents to the NAVY that upon execution of the deed conveying the Property to the CITY, the CITY shall have obtained all of the necessary approvals and consents, including all necessary

approvals from the CITY, to effectuate, consummate, and complete the conveyance of the Property to the CITY.

[b.]2. The CITY shall cooperate with the NAVY to effectuate the conveyance of the Property to the CITY, including, without limitation, obtaining proper approvals for and executing such documents necessary to consummate the conveyance of the Property to the CITY.

[2.]3. The NAVY is required to comply with administrative procedures and to prepare certain environmental and other documents to evaluate whether to proceed with a conveyance of property. Pursuant to Public Law 108-375, Section 2862, the Secretary of the Navy must require the CITY to cover all such administrative costs or to reimburse the Secretary for such costs as a condition to the Secretary's conveyance of the Property to the CITY. The CITY acknowledges and hereby agrees to provide advance payment for the NAVY's administrative costs.[shall prepare (a) the quitclaim deed, including property description, surveys, maps, and title searches to confirm the existence of any encumbrances affecting the Property; and (b) any other documents necessary to convey title of the Property to the CITY.]

[3. The NAVY is willing to permit the CITY to enter the Property and continue its use provided the CITY complies with all of the terms and conditions contained herein.]

IN WITNESS WHEREOF, the parties hereto, by their authorized representatives, have executed this Intergovernmental Agreement on the day and year first written above.

CITY AND COUNTY OF HONOLULU

By \_\_\_\_\_  
Its Mayor

UNITED STATES NAVY

By \_\_\_\_\_  
Its Secretary